

UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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On-Premise Beer License Summary (for retailers that are not taverns)

*Note: This is general information only and should not be considered conclusive.
For further detail, please consult Title 32A of the Utah Code and the Rules of the Commission.*

A state on-premise beer retailer license allows the sale of beer at retail for on-premise consumption. These establishments include restaurants, cafes, bowling center or golf course food and beverage facilities, snack bars, etc. Special licensing conditions apply to on-premise beer retailers who are *taverns* (see separate Tavern License Summary). Liquor may not be stored or sold on the premises of an on-premise beer retailer. Effective October 1, 2008, flavored malt beverages may not be stored or sold on the premises of an on-premise beer retailer.

Licenses run from March 1 to the last day of February. For on-premise beer retailers that are *not* taverns, there is no quota and the commission may issue licenses at places and in numbers it considers proper. Only one state beer license is required for each building or resort facility owned or leased by the same applicant. The state license is in addition to any beer license required by a local government.

Purchases of Beer

- The on-premise retailer must purchase, acquire, possess for resale, or sell beer that has been lawfully purchased from a Utah wholesaler who is authorized to sell beer in the geographical area in which the beer retailer is located, or from a small brewer (manufactures less than 60,000 barrels per year).

Sale and Service of Beer

- Beer may be sold and served in open containers in any size not exceeding 2 liters and on draft. Beer may be sold by the pitcher (up to two liters) to two or more patrons, but may be sold to an individual patron only in a container that does not exceed one liter.
- Beer sold in sealed containers may be removed from the beer retailer's premise.

Sales Hours

- Beer may be sold from 10 a.m. until 1 a.m.

Discounting Practices Prohibited

- Discounting practices are prohibited that encourage over-consumption of beer (i.e. reduced prices for certain hours of the day, "happy hours", "two for ones", "all you can drink for a set price", free beer, or selling at less than cost).

Consumption on the Premises

- An open container primarily used for drinking purposes and containing beer may not be removed from the premises.

Minors

- Minors may be employed by an on-premise beer retailer, but may not sell, dispense, or furnish beer.
- Minors may work at a cash register to ring up the sale of beer.

Employees

- Any employee who sells, serves, dispenses, or handles beer must be twenty one years of age or older.
- Employees may not consume or be under the influence of alcoholic beverages while on duty.
- Servers of alcohol must wear a unique identification badge showing the employee's first name, initials, or a number assigned by the employer.
- Managers, supervisors, and employees who serve alcohol must take and pass an alcohol server training seminar every three years and must complete the training within 30 days of commencing employment.

Employee Fines

- The commission is authorized to assess an administrative fine against an officer, employee, or agent of a licensee for a violation of the alcoholic beverage laws.

“Brown Bagging”

- Patrons may not bring in or store alcoholic beverages on the premises.

Advertising

- Beer advertising must comply with the guidelines in Rule R81-1-17.

Warning sign

- Each on-premise beer retailer licensee shall display, in a prominent place, a sign in at least half inch bold letters stating: “Warning: Driving under the influence of alcohol or drugs is a serious crime that is prosecuted aggressively in Utah.”

Prohibited Conduct

- Lewd acts, attire, and sexually oriented conduct of employees and entertainers that are considered contrary to public welfare and morals are prohibited on the premises.

Gambling

- An on-premise beer retailer may not engage in or permit any form of gambling on the premises.